

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:19-cv-00586

Carole Marples,
Plaintiff,

v.

Commissioner,
Social Security Administration,
Defendant.

Before BARKER, *District Judge*

ORDER

On December 6, 2019, plaintiff Carole Marples filed this action under 42 U.S.C. § 405(g) for judicial review of defendant's decision denying plaintiff's application for disability insurance benefits. The case was referred to United States Magistrate Judge K. Nicole Mitchell pursuant to 28 U.S.C. § 636. Judge Mitchell ordered plaintiff to show cause why the lawsuit should not be dismissed for failure to timely serve defendant. Doc. 5. Plaintiff did not file a response. Judge Mitchell subsequently issued a report and recommendation recommending that the complaint be dismissed without prejudice for failure to prosecute. Doc. 6. No objections have been filed.

When no party objects to a magistrate judge's report and recommendation within 14 days of service, the court "need only satisfy itself that there is no clear error on the face of the record." *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996) (en banc) (cleaned up). Here, there is no clear error.

Therefore, the magistrate judge's findings and conclusions are **adopted** as the opinion of the court. This action is **dismissed without prejudice** for failure to prosecute. Fed. R. Civ. P. 41(b).

So ordered by the court on April 22, 2020.

A handwritten signature in black ink, appearing to read "J. Campbell Barker", is positioned above a horizontal line.

J. CAMPBELL BARKER
United States District Judge